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Attorneys for Plaintiff,
ANNE ARTINO

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

ANNE ARTINO,

Plaintiff,

v.

HOME DEPOT U.S.A, INC., ET AL.

Defendant.

CASE NO.: 1:22-cv-01588-TLN-KJN

**JOINT STIPULATION TO
CONTINUE NON-EXPERT
DISCOVERY CUT OFF DATE**

Trial Date: None Set

Plaintiff ANNE ARTINO and Defendant HOME DEPOT U.S.A, INC., constituting all parties appearing in this action, through undersigned counsel of record hereby submit this Joint Stipulation requesting a continuance of the Non-Expert Discovery Cut-Off from March 1, 2024, through **April 1, 2024** for the limited purpose of conducting the deposition of Khun Aung, M.D. and the deposition of the Defendant's Person Most Knowledgeable subject to Defendant's objections and limitations and contingent upon the Court entering a stipulated protective order with sufficient time for the deposition of Defendant's Person Most Knowledgeable to be conducted:

1. WHEREAS on August 24, 2023, this Honorable Court issued a Scheduling Order, later amended by the Court's Minute Order on September 15, 2023, stating in part that:

1. Non-Expert Discovery be completed by **March 1, 2024**;
2. Expert Disclosures be completed by **August 2, 2024**;
3. Expert Discovery be completed by **October 4, 2024**;
2. WHEREAS, the Parties have been diligently conducting discovery in this matter, including extensive written discovery, Plaintiff's attendance at a medical examination pursuant to FRCP 35, *et seq.* on February 9, 2024, Plaintiff's deposition, four (4) of Plaintiff's family members' depositions, and two (2) of Plaintiff's medical providers' depositions;
3. WHEREAS, on January 2, 2024, Plaintiff's counsel emailed Defendant's counsel to request dates to take the deposition of Defendant's Person Most Knowledgeable;
4. WHEREAS, on January 23, 2024, Plaintiff served a Notice of Deposition of Defendant's Person Most Knowledgeable set for February 8, 2024;
5. WHEREAS, on February 5, 2024, Defendant's counsel informed Plaintiff's counsel that the deposition of Defendant's Person Most Knowledgeable set for February 8, 2024, will not go forward and that Defendant's counsel will be available the last week of February but were working to confirm the deponent's availability for that week;
6. WHEREAS, on February 5, 2024, Defendant served its objections to certain matters for examination listed in Plaintiff's Notice of Deposition of Defendant's Person Most Knowledgeable, indicating that Defendant will produce a witness to testify regarding particular matters once a stipulated protective order is entered;
7. WHEREAS, on February 15, 2024, Defendant served a Notice of Deposition of Plaintiff's treating physician Khun Aung, M.D. to take place on February 26, 2024. However, due to Dr. Aung's unavailability, the deposition was taken off calendar. Dr. Aung's deposition is calendared to take place on March 13, 2024, his first date of availability;

1 8. WHEREAS, on February 16, 2024, Plaintiff's counsel served an Amended
2 Notice of Deposition of Defendant's Person Most Knowledgeable set for
3 February 29, 2024 with additional matters for examination.;

4 9. WHEREAS, on February 23, 2024 and February 26, 2024, Defendant's
5 counsel informed Plaintiff's counsel that the deposition of Defendant's
6 Person Most Knowledgeable set for February 29, 2024 will not go forward,
7 that a deponent will be produced to discuss the topics outlined once a
8 stipulated protective order is entered, and sent a proposed stipulated
9 protective order to Plaintiff's Counsel.;

10 10. WHEREAS the required time needed to complete discovery will not affect
11 the date in which dispositive motions may be filed;

12 11. WHEREAS the Parties jointly agree that an extension of time is needed to
13 complete the above.

14 12. WHEREAS, the Parties jointly agree that the Non-Expert Discovery cut-off
15 be extended at least thirty (30) days from **March 1, 2024** through **April 1,**
16 **2024;**

17 13. WHEREAS, this request for extension of time to file is not intended to
18 cause undue delay to the Court and will not prejudice any of the parties to
19 this action, but is meant to preserve judicial efficiency in this matter.

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Now, therefore, IT IS HEREBY STIPULATED by and between all the parties to this action to continue the Non-Expert Discovery Cut-Off from March 1, 2024, through **April 1, 2024** for the limited purpose of conducting the depositions of Dr. Aung and Defendant's Person Most Knowledgeable, subject to Defendant's objections and limitations and contingent upon the Court entering a stipulated protective order with sufficient time for the deposition of Defendant's Person Most Knowledgeable to be conducted.

IT IS SO STIPULATED.

DATED: February 29, 2024

CARPENTER & ZUCKERMAN

By: 

Sark Ohanian, Esq.

Edward Hovannisian, Esq.

Attorney for Plaintiff,

ANNE ARTINO

DATED: February 29, 2024

GOODMAN NEUMAN HAMILTON LLP

By: */s/ Angelique Hernandez (as authorized on 2/29/2024)*

Joshua S. Goodman, Esq.

Zachary S. Tolson, Esq.

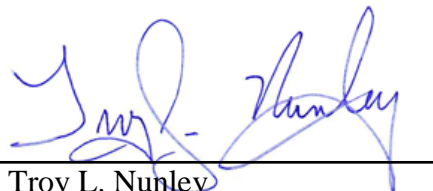
Angelique Hernandez, Esq.

Attorneys for Defendant

HOME DEPOT U.S.A., INC.

IT IS SO ORDERED.

DATED: February 29, 2024



Troy L. Nunley

United States District Judge